

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled A FOOTBALL HELMET HAVING A REMOVABLE INFLATABLE LINER AND A METHOD FOR MAKING THE SAME, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)	Priority claimed	
<u>NONE</u>	Yes	No
(Number) (Country) (Day/Month/Year filed)		

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/119,270</u>	<u>02/09/99</u>	<u>Pending</u>
<u>09/296,007</u>	<u>04/27/99</u>	<u>Pending</u>
(Appln. Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further

that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Vance A. Smith, Reg. No. 24,320; David W. Nagle, Jr., Reg. No. 42,923; and Joan L. Simunic, Reg. No. 43,125, my attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith, and I request that all communications concerning this application be addressed to Vance A. Smith, **Wheat, Smith & Beres, PLC**, 15<sup>th</sup> Floor – Citizens Plaza, Louisville, Kentucky 40202, telephone (502) 585-2040.

Full name of first joint inventor Cherie Alexander

Inventor's signature Cherie Alexander Date: 11-19-99

Residence 7801 Wise Lane, Knox, TN 37920

Citizenship U.S.A.

Post Office Address same as residence

Full name of second joint inventor Peter David Halstead

Inventor's signature P. Halstead Date: 11-19-99

Residence 941 Wildwood Garden Dr., Knox, TN 37920

Citizenship U.S.A.

Post Office Address same as residence

Full name of third joint inventor Brian Howard

Inventor's signature B. Howard Date: 11-22-99

Residence 1220 Pimlico Dr., Cookeville, TN 38501

Citizenship U.S.A.

Post Office Address same as residence

Note: This Declaration and Power of Attorney may be executed only when attached to the specification (including claims) as the last page thereof.

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
SMALL BUSINESS CONCERN

I hereby declare that I am ☐ the owner ☒ an official empowered to act on behalf of the small business concern identified below:

Name of concern Adams USA, Inc.

Address of concern Highway 42, P.O. Box 489, Cookeville, TN 38503

I hereby declare that the small business concern identified above qualifies as a small business concern as defined in 37 CFR 1.9(d) for purposes of paying reduced fees under Section 41(a) or (b) of Title 35, United States Code with regard to the invention entitled A FOOTBALL HELMET HAVING A REMOVABLE INFLATABLE LINER AND A METHOD FOR MAKING THE SAME by inventor(s) Cherie Alexander, Peter David Halstead, and Brian Howard described in

☒ the specification filed herewith

☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_.

☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_.

I hereby declare that rights under contract law have been conveyed to and remain with the small business concern with regard to the above identified invention.

If the rights held by the small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

NAME \_\_\_\_\_ NONE

ADDRESS

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and

ADDRESS OF PERSON SIGNING Highway 42, P.O. Box 489, Cookeville, TN 38503

11-24-99